

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 1709

C O N F I D E N T I A L MANILA 10026

E.O. 11652: GDS

TAGS: SHUM, PINT, RP

SUBJECT: AQUINO HEARING JUNE 29

REF: MANILA 9969

1. ON JUNE 29 MILITARY COMMISSION REJECTED SENATOR AQUINO'S PLEA FOR 60-DAY POSTPONEMENT IN HIS CASE IN ORDER TO PERMIT HIS ATTORNEYS TO STUDY IMPLICATIONS OF PRESIDENT MARCOS' DECREE 1165 (SEE REFTEL). COMMISSION, HOWEVER, GRANTED PERMISSION FOR AQUINO'S MILITARY COUNSEL (COL. SANTOS) TO CONSULT WITH HIS CIVILIAN ATTORNEY (SENATOR SALONGA). SANTOS TOLD NEWSMAN AT TRIAL HE MIGHT PRESENT MOTION FOR ACQUITTAL AT NEXT SESSION WHICH SET FOR WEDNESDAY, JULY 6.

2. OVER VEHEMENT OBJECTIONS OF MILITARY PROSECUTOR CO. SISON, AQUINO WAS ALLOWED TO SPEAK FOR ONE HOUR, RECOUNTING FURTHER DETAILS OF HIS MEETING WITH PRESIDENT MARCOS. AQUINO REVEALED THAT HE HAD HAD TWO DAYS NOTICE THAT MARTIAL LAW WAS TO BE DECLARED AND THAT MARCOS HAD REMINDED HIM OF THIS IN THEIR JUNE 21 MEETING. AQUINO TOLD MILITARY COMMISSION THAT HE HAD BEEN SENATOR FOR 1,727 DAYS AND HAD RECENTLY COMPLETED SAME NUMBER OF DAYS AS PRISONER. HE CLAIMED HIS HUMAN RIGHTS HAD BEEN VIOLATED AND THAT HE MUST HAVE REDRESS FOR SUCH VIOLATIONS. HE ALSO SAID HE MIGHT SEND
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PRESIDENT LETTER REQUESTING REVIEW OF DECISION NOT TO TRANSFER CASE TO CIVIL COURT.

3. ON JUNE 29, EMBOFF ASKED SENATOR SALONGA HIS OPINION OF PD 1165. SALONGA REPLIED THAT THERE WERE "TREMENDOUS" LEGAL IMPLICATIONS IN DECREE AND IT HAD TO BE STUDIED CAREFULLY. THIS IS WHY 60-DAY RECESS HAD BEEN REQUESTED.

IN SEPARATE CONVERSATION WITH UPI REPORTER, SALONGA SAID HE REMAINED HOPEFUL THAT AQUINO CASE WAS "MOVING."

4. SALONGA MADE MAJOR HUMAN RIGHTS SPEECH TO MAKATI ROTARY JUNE 28. IN DISCUSSING HOW GOP'S "NEW POSTURE OF RESPECT FOR HUMAN RIGHTS" COULD BE MADE CREDIBLE, HE SUGGESTED: A) RESTORATION OF FREEDOM OF THE PRESS; B) AMNESTY FOR ALL POLITICAL PRISONERS; AND C) DISMANTLING OF MARTIAL LAW. SALONGA DID NOT MENTION AQUINO CASE SPECIFICALLY, WHICH SUGGESTS HE IS WARY OF UPSETTING SOMETHING WHICH MIGHT BE TAKING PLACE BEHIND THE SCENES BY PREMATURE RECOURSE TO PUBLIC. TEXT OF SALONGA SPEECH BEING POUCHED EA/PHL.

5. COMMENT: WE SHALL BE REPORTING NEXT CHAPTER IN CONTINUING DRAMA OF AQUINO AFTER JULY 6. HOPEFULLY IN THE INTERIM SOMETHING EQUIVALENT TO "TEA BREAK" DIPLOMACY WILL BE TAKING PLACE BETWEEN TWO SIDES.
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